



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

DOD: 3-11-04		<p>PUBLIC ADMINISTRATOR, Successor Administrator, is Petitioner.</p> <p>I&A filed 3-5-07 indicated a total estate value of \$466,587.93 consisting of \$181,237.93 cash plus real and personal property.</p> <p>History: JENNIFER TROTTIER, a resident of Portland, Oregon, was appointed as Executor with full IAEA without bond on 8-3-04. Ms. Trottier was removed as Executor on 3-6-08. Ms. Trottier had filed a petition for final distribution, which was not settled.</p> <p>Petitioner states there are no assets in possession of the Public Administrator. According to the former Executor's petition for final distribution, she distributed the furnishings, vehicle, and \$90,000, in addition to monthly payments totaling \$24,475 to the decedent's mother, and paid Attorney James Hurbutt \$368 for legal services, all without court authorization. At the end of her account period, she claimed there was \$19,224.98 on deposit at EECU; however, the Public Administrator contacted the credit union on 4-7-14 and they did not find anything under the account number, name, or social security number. Without a detailed schedule of disbursements, Petitioner cannot say whether the former Executor gave away or kept the assets. Ms. Trottier did not return a phone call.</p> <p>There are no assets for distribution. Ms. Trottier breached her fiduciary duty by making distributions without court order and by failing to account for estate assets. Therefore, she should be surcharged the full amount listed on the Inventory and Appraisal: \$466,587.93. At least one creditor filed a claim for which there is no documentation of payment. Ms. Trottier may have received funds that should have gone to the Oregon bankruptcy court. Katharine Lovely may not have received her full share of the estate.</p> <p>Because Ms. Trotter did not account for the assets she administered, she should be liable for all of them. The surcharge should be assigned to any outstanding creditor or beneficiary so that they may collect on their debts.</p> <p>Petitioner prays that:</p> <p>1) The final report be settled, allowed and approved as filed, and all acts and proceedings of Petitioner as Administrator be confirmed and approved;</p> <p>2) The Court find that Jennifer Trottier, as former administrator, is personally liable to the estate for \$466,587.93;</p> <p>3) An assignment of surcharge be made to outstanding creditors and beneficiaries;</p> <p>4) the administration of the estate be closed;</p> <p>5) the Public Administrator be discharged as successor administrator; and</p> <p>6) for such other and further orders as the Court considers just and proper.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The Public Administrator was appointed 3-6-08 and Letters issued 4-1-08. Petitioner does not provide an explanation as to the delay in administration. The Court may require clarification.</p> <p>2. The file indicates that in addition to the assets inventoried on the I&A, the former executor was also trying to marshal 4.7 acres in Exeter, CA, that was mentioned in the decedent's will; however, the property actually consisted of 5.7 acres that was held jointly by the decedent and her ex-husband. The former executor and her sister were working with their father and also with a civil engineer / surveyor to achieve a lot split in order to marshal the 4.7 acres as an asset of the decedent's estate. However, there is no mention of this land in the executor's final petition or in this petition. The Court may require information as to what happened to that parcel.</p>
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FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 6-16-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 - Trottier</p>	

Amended Petition for Termination of Guardianship

		ANGELA AMAVISCA , mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		SALLY MUNOZ , maternal grandmother, was appointed as Guardian of the minors on 03/27/06. – Personally served on 04/24/14	Note: Per Notice of Limited Scope Representation filed 5-22-14, Attorney Zepure Attashian represented Angela Amavisca for the hearing on 5-14-14 only.
Cont. from 051414		Father: RUBEN MURILLO – served by mail on 04/24/14	Minute Order 5-14-14: Mother's supervised visits remain in full force and effect. Parties agree to mediation on 5-15-14 regarding the issues of guardianship and visitation. Continued to 6-18-14, set for status on 6-18-14.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Paternal grandfather: RUBEN MURILLO – served by mail on 04/24/14	Mediation Agreement filed 5-15-14 by Guardian Sally Munoz provides a visitation schedule and states continued mediation will be held on 6-18-14.
<input type="checkbox"/>	Inventory	Paternal grandmother: JUANITA MURILLO – served by mail on 04/24/14	
<input type="checkbox"/>	PTC		As of 6-16-14, nothing further has been filed regarding this petition.
<input type="checkbox"/>	Not.Cred.	Maternal grandfather: RUDY AMAVISCA – served by mail on 04/24/14	
<input checked="" type="checkbox"/>	Notice of Hrg	Petitioner states that she has been clean and sober since she completed a drug rehab program in April 2009. She has been gainfully employed since July 2009 and has been caring for the children since April 2009, first when she moved into her mother's home with the children and then in their own home from February 2011 until the guardian removed the children from her home upon learning of her petition to terminate the guardianship. Petitioner states that she appreciates the help her mother provided to her children when she was unable to care for them, but she is now fully capable and ready to care for her children and requests that the guardianship be terminated. Petitioner states that her mother will object to the termination and try to accuse her of using drug, therefore, she has voluntarily attached a hair follicle drug test showing negative results over a 90 day period. Petitioner further states that the guardian uses foul language, including making repeated disparaging remarks about Petition in front of the children and may be motivated by money to keep the guardianship in place due to the public assistance she received on behalf of the children.	Reviewed by: JF
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<input type="checkbox"/>	FTB Notice	Objection to Termination of Guardianship filed 04/30/14 states: that there has been domestic violence between the parents and they have now split up. Guardian suspects that the mother is drinking heavily and possible using drugs. Guardian states that the mother is bringing strange men to the home and she fears for the minor's safety. She does not agree with terminating the guardianship at this time. She states that the mother was doing better at one time, but has slipped again.	
		Court Investigator Jo Ann Morris filed a report on 05/05/14.	

4B Savannah & Ruben Murillo (GUARD/P)

Case No.05CEPR01165

Atty Munoz, Sally (pro per – maternal grandmother/guardian)

Atty Amavisca, Angela (pro per – mother/Petitioner)

Status Hearing

Savanah, 10 DOB: 05/25/03	ANGELA AMAVISCA , Mother, filed an Amended Petition for Termination of Guardianship on 4-24-14. SALLY MUNOZ , Guardian, filed an Objection on 4-30-14. The parties were referred to mediation on 5-14-14. Per mediation agreement, additional mediation is to occur on 6-17-14.	NEEDS/PROBLEMS/COMMENTS:
Ruben, 9 DOB: 11/15/04		
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FTB Notice		
Reviewed by: skc		
Reviewed on: 6-16-14		
Updates:		
Recommendation:		
File 4B - Murillo		

4B

DOD: 12-21-05		KAMALJIT K. ASHAT , Surviving Spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 042814, 050814		Petitioner was appointed Administrator of the Estate of Sukhjinder Ashat on 2-10-09.	<p>1. Petitioner states the property was acquired during the marriage with community property funds; however, Petitioner does not provide details such as the date of the marriage, the date the property was acquired, etc. The Court may require further information.</p> <p>2. It appears from the Notice of Hearing that Mrs. Ashat has moved to Roseville, CA. Need Notice of Change of Address (Form MC-040) to be filed in 08CEPR00834.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	Decedent died intestate	
<input type="checkbox"/>	Verified	Petitioner requests Court confirmation that Petitioner's 50% community property interest in certain real property on Blackstone Ave., in Fresno belongs to her.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	Petitioner states she and the decedent acquired the subject property with the earnings and accumulations from said earnings during their marriage; therefore, the property constituted community property of the spouses. Title stands in the decedent's name alone because he purchased the property, with Petitioner's consent, while she was on vacation out of the country and was unavailable to sign purchase and loan documents. The property was reported on the joint income tax returns of the spouses as their community property.	
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			Reviewed by: skc Reviewed on: 6-16-14 Updates: Recommendation: File 6A - Ashat

(1) Waiver of Accounting and (2) Petition for Final Distribution and (3) for Allowance of Statutory Attorneys Fees

DOD: 12-21-05		KAMALJIT K. ASHAT , Administrator with full IAEA without bond, is Petitioner. Accounting is waived. I&A: \$65,000.00 POH: \$65,000.00 (real property interest) Administrator (Statutory): Waived Attorney (Statutory): \$2,600.00 Distribution pursuant to intestate succession: Kamajit K. Ashat – Real property interest valued at \$65,000.00.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> On 9-12-13, the Court imposed sanctions of \$500 each to both Attorney Cowin and the Administrator, and also set an Order to Show Cause for 10-17-13. On 10-17-13, the OSC was dismissed, but the Court did not address the sanctions that were imposed on 9-12-13. Therefore, it appears the sanctions remain due. Examiner Notes for hearing 5-8-14 noted that the sanctions remain due; however, Judge Smith continued the matter for Judge Oliver to hear. <u>Note:</u> This petition requests to distribute the same real property interests that are requested to be distributed in the Spousal Property Petition at Page A. Depending on which petition is granted, the other may be dismissed by the Court.				
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<table border="1"> <tr> <td>Reviewed by: skc</td> </tr> <tr> <td>Reviewed on: 6-16-14</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 6B - Ashat</td> </tr> </table>			Reviewed by: skc	Reviewed on: 6-16-14	Updates:	Recommendation:	File 6B - Ashat
Reviewed by: skc							
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Updates:							
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File 6B - Ashat							

DOD: 12-3-12			BEN KRIKORIAN and AARON KRIKORIAN , Co-Executors with Full IAEA without bond, are Petitioners. Accounting is waived. I&A: \$356,452.38 POH: \$387,782.87 (\$211,644.39 cash plus securities, personal property items) Co-Executors (Statutory): \$10,129.05 Attorney (Statutory): \$10,129.05 Costs: \$1,364.55 (filing, publication, appraisal) Closing: \$300.00 Distribution pursuant to Decedent's will: Ben Krikorian and Aaron Krikorian as co-trustees of the Violet Goorigian Revocable Living Trust Agreement dated 10-6-08: Entire estate	NEEDS/PROBLEMS/COMMENTS:			
Cont from 050614							
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			Updates:				
			Recommendation: SUBMITTED				
			File 9 - Goorigian				

Thomas J. Davis DOD: 6-5-00		JOSHUA DAVIS , Beneficiary, is Petitioner. Petitioner states he is a beneficiary of the Davis 1989 Family Trust dated 11-17-89 (the Trust) (Exhibit A). On or about the same date, Thomas and Wealthea Davis also created the Davis Family 1989 Life Insurance Trust (the Insurance Trust) (Exhibit B). The Family Trust became irrevocable on the settlors' deaths. The Insurance Trust was already irrevocable during their lifetimes. Petitioner states BRUCE NEILSEN is the successor trustee of both trusts. Petitioner states that following the death of Thomas Davis on 6-5-00, Petitioner, by his agent and CPA Tom Bell, inquired of Trustee Neilsen on multiple occasions about the nature of the Trust assets and timetable for distribution. Petitioner was aware that the decedents had owned real property in California, various stocks and bonds, as well as other assets to which Petitioner and the other named in this petition were beneficiaries. Petitioner has requested that Trustee Neilsen provide him with an account of his administration of the Trust, but Trustee Neilsen has not done so. Additionally, Petitioner believes portions of the trust property that were to be held fbo Trust beneficiaries and Insurance Trust beneficiaries have been used to make loans to beneficiaries other than Petitioner, all to the detriment of Petitioner and other beneficiaries who may have lost their share of Trust and Insurance Trust assets as a result of the breach of his duties to the beneficiaries by Trustee Neilsen.	NEEDS/PROBLEMS/COMMENTS: Continued from 5-19-14 <u>SEE ADDITIONAL PAGES</u>
Wealthea Davis DOD: 3-25-98			
Cont from 051914			
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<u>SEE ADDITIONAL PAGES</u>			Reviewed by: skc Reviewed on: 6-16-14 Updates: Recommendation: File 10 - Davis

Page 2

Petitioner states moreover, Trustee Neilsen has failed to require the execution of notes requirement repayments by the borrowers of the Trust and Insurance Trust assets, and/or that Trustee Neilsen has failed to require the repayment of principal and interest on the Trust and Insurance Trust monies by the borrowers, all to the detriment of Petitioner and the other beneficiaries.

Petitioner states the Trust estate was to be divided into 12 separate trusts immediately on the death of both settlors. Petitioner made inquiries of Trustee Neilsen as to what is held in the trust created for Petitioner, but Trustee Neilsen has not provided the requested information or any meaningful response. Petitioner is informed and believes that Trustee Neilsen has, without consent or knowledge of several of the beneficiaries, used Trust and/or Insurance Trust assets to fund business transactions initiated by other beneficiaries, all to the detriment of Petitioner and other beneficiaries.

Petitioner has been unable to determine what has been done with what portion of the Insurance Trust assets and the Trust assets which were to have been segregated from the rest of the Trust property and Insurance Trust property for Petitioner's benefit.

Petitioner requests the Court order as follows:

1. Directing Trustee Bruce Neilsen to prepare and file a complete account and report of his administration of the Davis 1989 Family Trust and the Davis 1989 Life Insurance Trust for the period of June 6, 2000 through March 31, 2014, inclusive;
2. Directing Trustee Bruce Neilsen to set the Account and Report for hearing and give notice of same pursuant to §17203;
3. Awarding Petitioner reasonable attorneys' fees and costs incurred in this matter; and
4. Granting any and all other relief as the Court deems just and proper.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS:

1. This petition requests accountings for two separate trusts. The two separate trusts have separate terms, separate assets, and separate purposes, and as such consideration by the Court requires separate petitions, separate notice, separate files, separate filing fees, and ultimately separate accountings.

The Court may designate this case number as the Family Trust file and direct Petitioner to initiate a separate proceeding regarding the Life Insurance Trust.

2. Also, per its terms, the Family Trust was to immediately divide into twelve (12) separate trusts, only one of which was for Petitioner's benefit. Need clarification and authority regarding the scope of the request for accounting(s).

Note: The language in the instruments differentiates between division into separate trusts and into separate shares, as contemplated by the Life Insurance Trust.

3. Notice appears to have been mailed to six people as couples, rather than as individuals entitled to direct notice. The Court may require amended direct service pursuant to Cal. Rules of Court 7.51.
4. Probate Code §17200(b)(7) provides that the Court can compel the trustee to provide information or account if the trustee has failed to provide the requested information within 60 days after the beneficiary's reasonable written request. Here, Petitioner states that he requested information after the settlors' deaths, which was approx. 14 years ago, but Petitioner does not state if any recent written request was made pursuant to §17200(b)(7), or what response was received, if any, pursuant to the written request. The Court may require clarification as to whether this petition may be prematurely filed pursuant to §17200(b)(7) and may require continuance for formal request and response. (Note: The requests should be separated for each trust pursuant to the above items.)

Atty Petty, Teresa B. (for Petitioner Donald Morton)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

		NEEDS/PROBLEMS/COMMENTS: Continued to 7/7/14 at the request of the attorney.
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		Reviewed by: KT / LEG Reviewed on: 6/16/14 Updates: Recommendation: File 11 – Morton

DOD: 06/30/2011		RICARDO GARCIA, brother was appointed Administrator.	NEEDS/PROBLEMS/COMMENTS:
		Minute Order of 03/19/2014 set this matter for hearing.	1. Need \$10,000.00 bond or waivers of bond.
Cont. from 043014		Minute Order of 03/19/2014 states Counsel is directed to obtain the necessary bond waivers or a bond in the amount of \$10,000.00. The petition is granted.	<p>Note: A Disclaimer of Interest by Rosa Sapien, Harvey Blanco, Rosendo Garcia and Jackeline Blanco state that they also disclaim all of the rights of her minor children to the decedent's estate. A disclaimer cannot be made by a parent on behalf of a minor child unless they have been appointed as guardian of the state or guardian ad litem after a noticed hearing pursuant to Probate Code§ 277.</p> <p>Note: Pursuant to Intestate Succession the beneficiaries of the decedent's estate would be the parents, Hortencia Miranda and Modesto Blanco. Hortencia Miranda and Modesto Blanco have disclaimed their interest. If a beneficiary disclaims their interest in the estate, the disclaimer acts as if the disclaiming party pre-deceased the decedent. See Probate Code §275 et seq. for disclaimers.</p> <p>A Disclaimer when effective is irrevocable pursuant to Probate Code §281.</p> <p style="text-align: center;"><u>Continued on additional page</u></p>
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			Reviewed by: LV Reviewed on: 06/16/2014 Updates: Recommendation: File 15 – Blanco

15 (additional page) James Blanco (Estate) Case No. 13CEPR01102

Since Modesto Blanco (father) and Hortencia Miranda (mother) and all decedent's siblings except petitioner, Ricardo Garcia (issue of Hortencia and Modesto) disclaimed, the issue of decedent's siblings are now the intestate heirs of the Estate. The issue of the disclaiming siblings are as follows and would then be the intestate heirs along with Ricardo:

- Ashley Sapien - 18
- Mariah Sapien - 16
- Vanessa Sapien - 5
- Angel Blanco - 10
- Laurissa Barajas - 8
- April Clark - 17
- Suzie Clark - 13
- Harvey Isaac Blanco - 13
- Isaac Harvey Blanco - 13
- Samuel Blanco - 7
- Rosendo Garcia, Jr. - 8

Note: Order is in the file for the Court's signature once the appropriate documents have been filed.

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820,
1821, 2680-2682)

Age: 30		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>TRINIDAD CHAVEZ MOTA, mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.</p> <p>Declaration of Christopher Nevantzinis, M.D. supports request for medical consent.</p> <p>Voting Rights Affected</p> <p>Petitioner states: Conservatee is severely disabled, he cannot walk or talk and needs daily care for all his daily routine. Petitioner currently provides a stable home providing for his emotional and daily needs.</p> <p>Declaration of Trinidad Mota filed 06/11/2014 includes a letter from CVRC dated 06/02/2014 which states they are aware of the guardianship and do not oppose the appointment of Ms. Mota at this time.</p> <p>Court Investigator JoAnn Morris' report filed on 01/17/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute of 04/30/2014 (Judge Whitehead): Ms. Gutierrez is sworn and interprets for the petitioner. The Court is advised that Salvador Llamas last saw Dr. Nevantzinis about a year ago. The Court notes that medical consent is being requested. The Court waives the need for the doctor's initials on the Capacity Declaration. Matter continued to 06/18/2014 for notice to be given to CVRC.</p> <p>Continued from 03/05/2014: No appearances. Court directs Examiner notes be sent to Trinidad Mota.</p> <p>Copy of Minute Order and Examiner Notes mailed to Trinidad Mota on 03/06/2014.</p> <p>Court Investigator Advised Rights on 01/15/2014.</p> <p>Voting Rights Affected Need Minute Order.</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> #4a of the Capacity Declaration not answered as to when Dr. Nevantzinis last saw the proposed conservatee and #4b if the proposed conservatee is under continuing treatment. Need proof of service at least (30) days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Conservator for: <ul style="list-style-type: none"> Central Valley Regional Center per Probate Code §1822(e). 	
Cont. from 012914, 030514, 043014				
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File 18 – Llamas				